

#### § 92.43

(ii) *Employees who have already separated.* If the employee has already separated and all payments due from his or her former paying agency have been paid, the DOT operating element may request, unless otherwise prohibited for example by court order, that monies which are due and payable to the employee from the Civil Service Retirement and Disability Fund (5 CFR 831.1801 et seq.) or other similar funds, be administratively offset in order to collect the debt (see 31 U.S.C. 3716 and the FCCS).

(iii) *Employees who transfer from one paying agency to another.* If, after the DOT creditor operating element has submitted the debt claim to the employee's paying agency, the employee transfers to a position served by a different paying agency before the debt is collected in full, the paying agency from which the employee separates shall certify the total amount of the collection made on the debt. One copy of the certification shall be furnished to the employee and another to the DOT operating element along with notice of the employee's transfer. The original of the debt claim form shall be inserted in the employee's official personnel folder along with a copy of the certification of the amount which has been collected. Upon receiving the official personnel folder, the new paying agency shall, in accordance with the DOT operating element's properly certified claim, resume the collection from the employee's current pay account and notify the employee and the DOT creditor operating element of the resumption. The DOT operating element is not required to repeat the required collection procedures from the beginning in order to resume the collection. However, it shall be the responsibility of the DOT creditor oper-

#### 49 CFR Subtitle A (10–1–07 Edition)

ating element to review the debt upon receiving the former paying agency's notice of the employee's transfer to make sure the collection is resumed by the new paying agency.

#### § 92.43 Requests for recovery when the Department is the paying agency.

(a) *Incomplete request for recovery.* If the request for recovery received by the chief of the accounting or finance office of the appropriate DOT operating element is incomplete in any respect (see § 92.21(b)) including, but not limited to, the failure to certify in writing that the employee owes the debt, the amount and basis of the debt, the date on which payment(s) is due, the date the creditor agency's right to collect the debt first accrued, and that the creditor agency's regulations implementing 5 U.S.C. 5514 were approved by OPM, the request shall be returned to the creditor agency with a statement of the deficiency. No action to implement salary offset may be initiated until a complete request has been received.

(b) *Complete request for recovery.* If a complete request for recovery is received by the chief of the accounting or finance office of the appropriate DOT operating element, a copy of the request and any supporting documentation shall be transmitted to the appropriate payroll office, and deductions shall be scheduled to begin at the next officially established pay interval. A copy of the request and any supporting documentation shall be provided to the debtor, along with a notice of the date deductions will begin.

(c) The DOT operating element may not review the merits of the creditor agency's determination with respect to the amount or validity of the debt as stated in the request for recovery.

#### § 92.45 Other debt collections.

Separate rules exist for general collection of debts owed the United States under 31 U.S.C. 3711, 3716–18; 4 CFR Ch. II.

## Attachment 1

## DEBT CLAIM FORM

<b>1. Paying agency identification</b>		<b>2. Employee identification</b>	
a. Name		a. Name	
b. Address		b. Address	
		c. DOB	d. SSN

To liquidate a debt to the United States, the named creditor agency asks that the debt be collected as shown from the current pay of the employee identified above. Notices and inquiries concerning the debt should be sent to the address shown below.

<b>3. Debt information</b>			
a. Reason for debt:			
b. Date right to collect accrued		c. Debt identification number, if any	
d. Original debt:		e. Number of installments	@ Amount
amount	\$		\$
f. Interest due			\$
(if none, show N/A)	\$		\$
g. Penalty due			\$
(if none, show N/A)	\$		\$
h. Administrative cost			\$
(if none, show N/A)	\$		\$
i. Total collection		j. Commence deductions on (date)	
to be made	\$		

<b>4. Due process: / / date actions taken; or attach / / acknowledgement / / consent</b>			
Creditor agency 30-day		Hearing held	
salary offset notice		Decision for creditor	
Employee did not re-		agency	
spond (consent assumed)		Other -	
Employee requested a hear-			
ing			

I certify the following: (1) the debt identified above is properly due the United States from the named employee in the amount shown; (2) this agency's regulations implementing 5 U.S.C. 5514 have been approved by the Office of Personnel Management, and (3) the information concerning this agency's and the employee's actions is correct as stated.

<b>5. Creditor agency information</b>	
a. Name	b. Appropriation/fund (title/symbol #)
c. Address	d. Disbursing officer (name/symbol #)
e. Signature of certifying official	f. Date
g. Title	h. Telephone number

**PART 93—AIRCRAFT ALLOCATION**

Sec.

93.1 Issuance of aircraft allocations.

93.3 Reporting requirements.

AUTHORITY: Sec. 9, 80 Stat. 944; 49 U.S.C. 1657.

**§ 93.1 Issuance of aircraft allocations.**

From time to time, the Director, Office of Emergency Transportation,

issues planning orders allocating aircraft to the Department of Defense, identified by FAA registration number, for the Civil Reserve Air Fleet Program, or as a reserve fleet for use in certain contingencies in the Civil Reserve Air Fleet Program of the Department of Defense. The current listing of aircraft allocations may be obtained upon request from the Director, Office